

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5792 of 2017

Arising Out of PS.Case No. -64 Year- 2015 Thana -JHAJHA District- JAMUI

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OMKAR SHARMA @ ANIL SHARMA@FEKAN SHARMA@ONKAR
SHARMA Son of Musho Sharma@ Musho Mistry Resident of Village-
Shivdih Mahadeo Simiriya, Police Station- Sikandara, District- Jamui.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr.Advocate with
Mr. Rahul Nath, Advocate

For the Opposite Party/s : Mr.Rajendra Prasad Nat, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 02-05-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Jhajha P.S.Case No. 64 of 2015, corresponding to Sessions Trial
No. 93 of 2016, registered for the offences punishable under
Section 364A of the Indian Penal Code.

Petitioner is not named in the FIR and later on his
name transpires during course of investigation.

It has been submitted on behalf of the petitioner that
in this case except confessional statement there is nothing against
the petitioner and he is in custody since 12.6.2015.

Heard learned APP also, who has opposed the prayer
for bail on the ground that petitioner has been made accused in six



other similar type of cases.

In this case a report was called for from the court below and from the report it appears that charge has been framed on 2.5.2016 and one witness has been examined in this case till date.

Having heard both sides and considering the aforesaid facts and circumstances and also considering the fact that there is no likelihood to conclude the trial in near future, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Sessions Judge-II, Jamui, in connection with Sessions Trial No. 93 of 2016, arising out of Jhajha P.S.Case No. 64 of 2015, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a close relative of the petitioner having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available in court on the dates



fixed and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason and without permission of court, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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